

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION
CORPORATION,

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,

Defendant.

No. 08-01789 (BRL)

SIPA LIQUIDATION

(Substantively Consolidated)

In re:

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the Liquidation
of Bernard L. Madoff Investment Securities LLC,
and Bernard L. Madoff,

Plaintiff,

Adv. Pro. No. 11-02493 (CGM)

v.

ABU DHABI INVESTMENT AUTHORITY,

Defendant.

**DECLARATION OF MOHAMED MUBARAK RASHED SAEED AL-HAJERI
IN SUPPORT OF
MOTION OF ABU DHABI INVESTMENT AUTHORITY TO DISMISS COMPLAINT**

I, MOHAMED MUBARAK RASHED SAEED AL-HAJERI, hereby declare as follows:

1. I am an Executive Director and Authorized Signatory of Abu Dhabi Investment Authority (“ADIA”). I submit this Declaration based on my personal knowledge and my review of relevant documents in support of ADIA’s motion to dismiss the complaint in the above-captioned action filed against ADIA by Irving Picard, acting as Trustee for the Liquidation of

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Bernard L. Madoff Investment Securities and Bernard L. Madoff. If called upon to testify in this proceeding, I could and would testify competently to the facts set forth herein.

2. ADIA was created in 1976 and reorganized in 1981. ADIA is an independent public institution established under the laws of the Emirate of Abu Dhabi. The Emirate of Abu Dhabi is a foreign state. Under the laws of the Emirate of Abu Dhabi, ADIA is wholly owned by, and subject to the supervision of, the Government of Abu Dhabi.

3. Under Law (5) of 1981 of the Emirate of Abu Dhabi, as amended, ADIA is a separate and independent entity of the Government of Abu Dhabi and enjoys the full legal capacity to act. ADIA's primary responsibility is to invest funds on behalf of the Government of the Emirate of Abu Dhabi in order to make available the necessary financial resources to secure and maintain the future welfare of the Emirate for the long-term prosperity of its citizens.

4. ADIA does not have an office or any employees located in New York or anywhere else in the United States.

5. During the period of 1996 through 2002, ADIA invested a total of \$200 million into Fairfield Sentry Limited, mostly in successive increments of \$25 million.

6. Between March 2005 and March 2006, ADIA redeemed its shares in Fairfield Sentry Limited for \$300 million.

7. ADIA requested payment to redeem its shares in Fairfield Sentry Limited through Citco Fund Services (Europe) B.V., a Dutch entity that was Fairfield Sentry Limited's administrator.

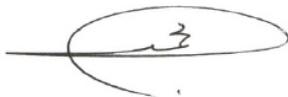
8. It is my understanding that Citco sent ADIA the money for ADIA's redemption of its shares in Fairfield Sentry Limited from an account located outside of the United States.

9. As of December 11, 2008, ADIA held securities contracts, commodity contracts, forward contracts, repurchase agreements, swap agreements, and master netting agreements of a

total gross dollar value exceeding \$1 billion and gross mark-to-market positions exceeding \$100 million in one or more such agreements.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed in Abu Dhabi
United Arab Emirates
May 10, 2022



MOHAMED MUBARAK RASHED SAEED AL-HAJERI